

GENERAL ORDINANCE NO. G- *Lost*

AN ORDINANCE AMENDING SECTION 11-1
OF THE CODE OF THE CITY OF FORT
WAYNE, INDIANA, OF 1974, AS
AMENDED.

WHEREAS, the City of Fort Wayne, through its various departments and boards, annually makes public purchases of goods and services from more than 2,000 vendors; and

WHEREAS, the dollar limitations for Council approval have not been increased even though the state limits have been increased; and

WHEREAS, I.C. 36-1-9-13 exempts from notice and bid requirements material purchases made by the purchasing agent from a supplier who has either a contract with the State of Indiana or a federal agency which requires the supplier to make the material available to political subdivisions;

WHEREAS, it is necessary to assure the compliance with I.C. 36-1-9-1 et. seq. relating to public purchases and leases of materials, and to ensure that procedures are established to obtain the greatest economic value for the public funds expended.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 11-1 of the Code of the City of Fort Wayne, Indiana, of 1974, as amended, be amended as follows:

(A) Purchasing Agent. The purchasing agent for the City of Fort Wayne shall be the head of the Purchasing Department for the City of Fort Wayne and shall be appointed by the City Controller, subject to the approval of the Mayor.

(B) Duties and Powers. The head of the Purchasing Department shall:

(1) Assume the duties, powers and responsibilities assigned to a purchasing agent in I.C. 36-1-9 and to a disposing agent in I.C. 36-1-11.

(2) Act as the sole agent in obtaining materials, supplies, equipment or contractual services for all City

departments and divisions, city-operated utility, or any board,
1 commissioner, officer or person otherwise empowered by law to
2 make purchases of materials, equipment, goods, supplies and
3 property of whatever description, except the Board of Works for
4 the City of Fort Wayne. Any such department or division shall
5 requisition such materials, supplies, equipment or services from
6 the purchasing agent who shall, upon determining that
7 appropriations are available for such purposes, acquire the items
8 requisitioned in accordance with

9 public purchase law. All contracts of purchase shall be made in
10 the name of the City department or division and be subject to the
11 approval of the department or division.

12 (3) Establish such purchasing and contractual
13 procedures as may best be suited to obtain the greatest economic
14 value to the City.

15 (4) Prepare specifications and notice to bidders
16 and see that the required notices are published, where bidding
17 and publication of notice are required by law.

18 (5) Cooperate and consult with the Controller for
19 the purpose of ensuring that adequate funds are available prior
20 to making necessary purchases and acquisitions to assure they are
21 within the limits of the budget appropriations of the department
22 or division in need of the material.

23 (6) Act as the agent of any executive department
24 to sell or exchange any personal property ordered to be sold by a
25 City department or division in accordance with procedures
26 prescribed by law.

27 (C) Improper Purchases. Any purchase made in
28 violation of this ordinance or the purchasing procedures
29 established by the Purchasing Department shall be null and void.

30 (D) Approval or Ratification Required. Whenever the
31 Civil City of Fort Wayne, including any City-owned or operated
32 utility, makes any purchase exceeding Fifteen Thousand Dollars
(\$15,000.00) or enters into any lease or leases which exceed
Fifteen Thousand Dollars (\$15,000.00) per year, all such
purchases and/or leases shall be entered into with the prior

approval or subsequent ratification by the Common Council of the
1 City of Fort Wayne by ordinance or resolution duly passed by said
2 Common Council and approved by the Mayor of the City of Fort
3 Wayne, Indiana. However, all automobiles or other motor vehicles
4 purchases or leases shall be subject to prior approval or
5 subsequent ratification by the Common Council of the City of Fort
6 Wayne by ordinance or resolution duly passed by said Common
7 Council and approved by the Mayor of the City of Fort Wayne,
8 Indiana, regardless of the amount of any such purchases or
9 leases. All such contracts or agreements entered into without
10 such prior approval or subsequent ratification shall be null and
11 void.

12 (E) Exception. Materials, may be purchased in
13 accordance with I.C. 36-1-9-12 or I.C. 36-1-9-13 without Council
14 ratification or approval.

15 (F) Emergency Purchases, Leases. Upon declaration of
16 an emergency, the City Purchasing Agent may purchase repairs and
17 purchase or lease materials without giving notice, receiving bids
18 or obtaining Council approval, so long as the procedures outlined
19 in I.C. 36-1-9-11 are followed.

20 Thomas C. Henry
21 Councilmember
22
23
24
25
26
27
28
29
30
31
32

AN ORDINANCE AMENDING SECTION 11-1 OF
THE CODE OF THE CITY OF FORT WAYNE,
INDIANA, OF 1974, AS AMENDED.

WHEREAS, the City of Fort Wayne, through its various departments and boards, annually makes public purchases of goods and services from more than 2,000 vendors; and

WHEREAS, the dollar limitations for Council approval have not been increased even though the state limits have been increased; and

WHEREAS, I.C. 36-1-9-13 exempts from notice and bid requirements material purchases made by the purchasing agent from a supplier who has either a contract with the State of Indiana or a federal agency which requires the supplier to make the material available to polical subdivisions;

WHEREAS, it is necessary to assure the compliance with I.C. 36-1-9-1 et. seq. relating to public purchases and leases of materials, and to ensure that procedures are established to obtain the greatest economic value for the public funds expended.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 11-1 of the Code of the City of Fort Wayne, Indiana, of 1974, as amended, be amended as follows:

(A) Purchasing Agent. The purchasing agent for the City of Fort Wayne shall be the head of the Purchasing Department for the City of Fort Wayne and shall be appointed by the City Controller, subject to the approval of the Mayor.

(B) Duties and Powers. The head of the Purchasing Department shall:

PAGE TWO

1 (1) Assume the duties, powers and
2 responsibilities assigned to a purchasing agent in I.C. 36-1-9
3 and to a disposing agent in I.C. 36-1-11.

4 (2) Act as the sole agent in obtaining materials,
5 supplies, equipment or contractual services for all City
6 departments and divisions, city-operated utility, or any
7 board, commissioner, officer or person otherwise empowered by
8 law to make purchases of materials, equipment, goods, supplies
9 and property of whatever description, except the Board of
10 Works for the City of Fort Wayne. Any such department or
11 division shall requisition such materials, supplies, equipment
12 or services from the purchasing agent who shall, upon
13 determining that appropriations are available for such
14 purposes, acquire the items requisitioned in accordance with
15 public purchase law. All contracts of purchase shall be made
16 in the name of the City department or division and be subject
17 to the approval of the department or division.

18 (3) Establish such purchasing and contractual
19 procedures as may best be suited to obtain the greatest
20 economic value to the City.

21 (4) Prepare specifications and notice to bidders
22 and see that the required notices are published, where bidding
23 and publication of notice are required by law.

24 (5) Cooperate and consult with the Controller for
25 the purpose of ensuring that adequate funds are available
26 prior to making necessary purchases and acquisitions to assure
27 they are within the limits of the budget appropriations of the
28 department or division in need of the material.

29 (6) Act as the agent of any executive department
30 to sell or exchange any personal property ordered to be sold
31 by a City department or division in accordance with procedures
32 prescribed by law.


PAGE THREE

1 (C) Improper Purchases. Any purchase made in
2 violation of this ordinance or the purchasing procedures
3 established by the Purchasing Department shall be null and
4 void.

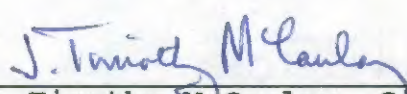
5 (D) Approval or Ratification Required. Whenever the
6 Civil City of Fort Wayne, including any City-owned or operated
7 utility, makes any purchase exceeding ~~Twenty-Five~~¹⁰ Thousand
8 Dollars (\$25,000.00) or enters into any lease or leases which
9 exceed Twenty-Five Thousand Dollars (\$25,000.00) per year, all
10 such purchases and/or leases shall be entered into with the
11 prior approval or subsequent ratification by the Common
12 Council of the City of Fort Wayne by ordinance or resolution
13 duly passed by said Common Council and approved by the Mayor
14 of the City of Fort Wayne, Indiana. All such contracts or
15 agreements entered into without such prior approval or
16 subsequent ratification shall be null and void.

17 (E) Exception. Materials, may be purchased in
18 accordance with I.C. 36-1-9-12 or I.C. 36-1-9-13 without
19 Council ratification or approval.

20 (F) Emergency Purchases, Leases. Upon declaration of
21 an emergency, the City Purchasing Agent may purchase repairs
22 and purchase or lease materials without giving
23 notice, receiving bids or obtaining Council approval, so long
24 as the procedures outlined in I.C. 36-1-9-11 are followed.

25
26 
Councilmember

27
28 APPROVED AS TO FORM
AND LEGALITY

29
30 
31 J. Timothy McCaulay, City Attorney
32

Read the first time in full and on motion by Henry, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 2-28-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Stier, seconded by Redd, and duly adopted, placed on its passage. ~~PASSED~~ LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>4</u>	<u>4</u>	<u>1</u>	
BRADBURY			<u>A</u>	
BURNS		<u>✓</u>		
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG		<u>✓</u>		
REDD	<u>✓</u>			
SCHMIDT		<u>✓</u>		
STIER	<u>✓</u>			
TALARICO		<u>✓</u>		

DATED: 3-14-89

Nadine Eschhoff
SANDRA E. KENNEDY, CITY CLERK
Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19____,

ATTEST

SEAL

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE ORDINANCE

Y-85-02-16

DEPARTMENT REQUESTING ORDINANCE CONTROLLER'S OFFICE

SYNOPSIS OF ORDINANCE 1. DESIGNATES HEAD OF PURCHASING DEPARTMENT

CITY "PURCHASING AGENT" AND "DISPOSING AGENT."

2. RAISES TO \$25,000 THE MAXIMUM PURCHASE

OR LEASE AMOUNT WHICH CAN BE MADE WITHOUT COUNCIL APPROVAL.

3. EXEMPTS FROM COUNCIL APPROVAL PURCHASES MADE

IN ACCORDANCE WITH I.C. 36-1-9-11, I.C. 36-1-9-12, and I.C. 36-1-9-13.

EFFECT OF PASSAGE REDUCE NUMBER OF PURCHASES WHICH REQUIRE COUNCIL

APPROVAL

EFFECT OF NON-PASSAGE NUMBER OF PURCHASES REQUIRING COUNCIL APPROVAL WILL

REMAIN THE SAME

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. G-89-02-16

Committee of the Whole

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN
MARK E. GIAQUINTA, VICE CHAIRMAN
BRADBURY, SCHMIDT, STIER

Committee of the Whole

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) AMENDING SECTION
11-1 OF THE CODE OF THE CITY OF FORT WAYNE, INDIANA OF 1974,
AS AMENDED

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND
BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID

(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas C. Henry
Mark E. Giaquinta
Janet L. Bradbury
O. Schmidt

DATED:

Sandra E. Kennedy
City Clerk